

Washington, D.C. - Rep. David Price (NC-04) took to the House floor today to urge his colleagues to reject the legislative line item veto, which would give the President broad discretion to accept or reject the fiscal priorities of Congress as he sees fit. The North Carolina Democrat said the bill, which passed the House, had less to do with fiscal restraint than with relinquishing powers to the executive branch. His remarks, as prepared, are included below.

Remarks on H.R. 4890, the Legislative Line-Item Veto Act

Mr. Speaker, all this posturing about fiscal responsibility is nothing more than a sideshow.

This legislation is not about fiscal responsibility. Look no further than the Republican Estate Tax bill, also on this floor today. Putting us nearly a trillion dollars further in debt over the next 15 years for the sake of a few of our country's wealthiest families is evidence enough of where the priorities of the Bush administration and Republican congressional leadership lie.

In fact, the line-item veto has very little to do with budgeting at all. It has everything to do with power—Presidential power.

Like many of my colleagues, I have been open to some forms of expedited rescission in the past. In the early nineties, I voted for two such bills as alternatives to a full-fledged line-item veto. I returned to Congress not long after the 1996 enhanced rescission bill was signed into law, before it was ruled unconstitutional. Despite the fact that President Clinton used his new powers sparingly, the conversations I had with administration officials to ensure that my funding priorities would not be threatened gave me a sobering glimpse of how our appropriations process might work in the future.

Since then, the shift of constitutional power from Congress to the Executive Branch has greatly accelerated. As congressional scholars Tom Mann and Norm Ornstein observe, the Republican Congress under the administration of George W. Bush has featured "a general obeisance to presidential initiative, and passivity in the face of presidential power." This bill would tilt the balance of power even further in the direction of the White House.

This isn't just a rhetorical concern. Specific provisions of this legislation would give the President inordinate control over the appropriations process:

First of all, this isn't even a "line" item veto bill—it's a multiple-line, multiple-item veto bill. It would allow the President to cherry-pick from among a wide range of provisions—authorization or appropriations, discretionary or mandatory—and package them together in whatever way he saw fit, requiring Congress to vote up or down on the entire package. Imagine the possibilities: A critical healthcare program could be packaged together with several unpopular earmarks...Or Congress could be forced to vote individually on every earmark that some mid-level OMB staffer decides doesn't pass his litmus test.

Second, the bill would let the President withhold up to a quarter of a program's annual funding regardless of congressional intent. He could take a program he has proposed for elimination that has broad congressional support—the Perkins Act, for example—and tie up its funding for up to 90 days.

Third, and most disturbingly, the bill would give the White House unprecedented leverage over Congress by allowing him to use our funding priorities as bartering chips for our votes on other legislation. The President could condition his support for our priorities on our support for his.

It is for this exact reason that many experts believe this bill would actually increase government spending, not rein it in. The CBO, Congressional Research Service, and Joint Committee on Taxation have all concluded that, in the words of the CBO, "Congress might accommodate some of the President's priorities in exchange not to propose rescission of certain provisions, thereby increasing total spending." In states where the governor holds a line-item veto, this is already happening. But even if this sort of quid-pro-quo didn't occur, do we really believe that Presidents in general—and this one in particular—are any more virtuous with taxpayer dollars than Congress?

I will take a back seat to no one in targeting "bridges to nowhere" and other examples of congressional waste. But I also know this: Presidents almost invariably ask for more money than Congress is willing to appropriate, and the profligacy of our current President is well-documented. The line-item veto is not about spending versus saving—it is about letting the President, not Congress, decide what we're spending money on.

Even if this bill did lead to some marginal savings, it is nothing more than a fig leaf for the Republicans to hide behind while they starve our nation's finances. I challenge my friends on the other side of the aisle to tell me exactly how much they think this bill will save. I'll tell you one thing: it's not \$762 billion, which is how much their sham Estate Tax "compromise" will cost between 2012 and 2021.

Mr. Speaker, if the leadership of this House were serious about getting our finances in order, it would never have abandoned the "pay-as-you-go" rules which helped produced balanced budgets and even surpluses in the nineties—and it would reinstate these rules today, as proposed by Mr. Spratt's substitute. The Spratt substitute would have also addressed several other key weaknesses of H.R. 4890, but once again, the House leadership has rigged the rules to deny us a vote on it. Instead, we get a fig-leaf bill designed to hide the fiscal sins of this Republican Congress from the American public.

The House of Representatives has three designated powers: Declaring war, conducting oversight, and the power of the purse. We've already gone a long way toward sacrificing the first two to the Executive Branch. Do we really want to give away the only one we've got left? I urge my colleagues to oppose this misguided legislation.

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